

# Workplace Violence Program

## Contacts:

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The purpose of the Workplace Violence Program and Committee is to establish a process that allows the members to be the key stakeholder in their safety. By doing this, this will allow NYSCOPBA to bring safety issues to light, change laws, policies, identify staffing needs, request better equipment, and improve the overall work environment for all NYSCOPBA members.

In the following pages you will find reference information and documents to keep you informed of the overall Workplace Violence Program. This information should be used for reference information only. You will also find statistics and data collection that was used from the 2016 calendar year this was shared at the annual DOCCS Workplace Violence meeting.

Stewards should be reminded to have an annual Workplace Violence meeting with facility management in February of each year. There should be minutes of this meeting, and once approved, those minutes should be sent to NYSCOPBA to the attention of **Joe Miano**.

Stewards should also bring up Workplace Violence issues (i.e. Assaults on Staff, threats, and/ or other unsafe work conditions) to their regular scheduled Labor-Management meeting as necessary. Please remember that once these minutes are approved to forward a copy to **NYSCOPBA – Albany**.

Stewards should request all inmate misbehavior reports that were labeled workplace violence and they should also request all workplace violence related unusual incidents. These reports should be requested on the 15<sup>th</sup> of each month. These reports should be made readily available to you, and if you are denied these reports, contact Joe Miano.

It is important for a Steward to sit on the Workplace violence Committee at the local level and attend the meetings. By actively participating on the committee the Steward will be able to address and advocate the issues brought to the Union by its membership. Just because a NYSCOPBA Steward is on the committee does not require the Steward to be part of the reporting mechanism for staff on staff claims of Workplace Violence. Directive 4960 (Workplace Violence Program) does not affect any of the rights and responsibilities including privileged communication for the local Steward. The confidentiality that the Union Steward possess with its membership is critical to proper representation.

6139



BRIAN FISCHER  
COMMISSIONER

STATE OF NEW YORK  
DEPARTMENT OF CORRECTIONAL SERVICES  
THE HARRIMAN STATE CAMPUS - BUILDING 2  
1220 WASHINGTON AVENUE  
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LUCIEN J. LECLAIRE, JR.  
DEPUTY COMMISSIONER  
CORRECTIONAL FACILITIES

**MEMORANDUM**

TO: All Superintendents  
FROM: Lucien J. Leclaire, Jr., Deputy Commissioner  
SUBJECT: Unusual Incident Reporting of Workplace Violence  
DATE: September 4, 2009

In conjunction with the implementation of Directive #4960, "Workplace Violence Prevention Program," and required reporting of incidents as outlined within, the following enhancements have been made to the Unusual Reporting System to ensure such incidents are captured, should reporting as an unusual incident be required in accordance with Directive #4004.

Each facility superintendent will be required to indicate an occurrence of workplace violence by entering Y (yes) or N (no) in the field provided on the signature page of the final unusual incident report. If the facility has any unusual incidents related to workplace violence, Report #UNS312F will automatically print in the superintendent's office on the 15<sup>th</sup> of each month. The superintendent shall forward this report to the facility's deputy superintendent for security or appropriate designee for appropriate action. The unusual incident manual has been updated to reflect these changes and several others related to the executive user screens which have been forwarded to you. Please ensure regular users of the U.I. system are provided with a copy of this updated user manual. The changes apply to any unusual incidents occurring on or after September 15, 2009.

Should you have any questions concerning the UI system changes, please contact Colonel Bly, Director of CERT Operations at 518-457-2006, or [ERBly@docs.state.ny.us](mailto:ERBly@docs.state.ny.us).

Lucien J. Leclaire, Jr.  
Deputy Commissioner

Unusual Incidents Categorized as Workplace Violence, By Type: 2010 - 2016

Incident Type	Year																				
	2010			2011			2012			2013			2014			2015			2016		
	All	WPV	%	All	WPV	%	All	WPV	%	All	WPV	%	All	WPV	%	All	WPV	%	All	WPV	%
Accident	430	0	0%	471	2	0%	546	2	0%	583	1	0%	583	1	0%	533	8	2%	544	1	0%
Assault on Inmate	676	86	13%	670	98	15%	654	87	13%	773	109	14%	864	126	15%	919	115	13%	1138	129	11%
Assault on Staff	585	579	99%	575	570	99%	540	528	98%	655	648	99%	755	742	98%	906	897	99%	771	760	99%
Assault on Other	16	8	50%	2	0	0%	5	0	0%	7	4	57%	8	3	38%	7	2	29%	13	2	15%
Contraband	2501	168	7%	2455	188	8%	2556	201	8%	2976	237	8%	3640	274	8%	4765	376	8%	4765	267	6%
Death	133	1	1%	123	0	0%	123	0	0%	145	1	1%	132	0	0%	124	2	2%	152	1	1%
Disruptive Behavior	346	207	60%	368	210	57%	477	227	48%	522	262	50%	516	226	44%	572	254	44%	636	374	59%
Disruption of Facility	17	1	6%	13	0	0%	7	0	0%	4	1	25%	10	0	0%	7	1	14%	11	1	9%
Employee Misconduct	163	6	4%	133	2	2%	140	7	5%	121	2	2%	118	6	5%	117	3	3%	109	2	2%
Escape	2	0	0%	4	2	50%	1	1	100%	1	0	0%	0	0	N/A	2	1	50%	1	0	0%
Attempted Escape	0	0	N/A	2	0	0%	2	1	50%	1	1	100%	2	0	0%	1	0	0%	1	0	0%
Fire	32	2	6%	30	7	23%	22	1	5%	34	7	21%	16	3	19%	30	4	13%	24	1	4%
Inmate Mass Demonstration	1	1	100%	1	0	0%	14	0	N/A	0	0	N/A	1	0	0%	0	0	N/A	2	1	50%
Property Destroyed	11	3	27%	14	3	21%	14	2	14%	3	0	0%	3	1	33%	4	0	0%	3	1	33%
Property Lost or Stolen	115	0	0%	83	0	0%	78	0	0%	76	0	0%	57	0	0%	70	0	0%	80	0	0%
Self-Inflicted Injury	57	2	4%	80	8	10%	114	10	9%	78	8	10%	93	5	5%	74	3	4%	77	2	3%
Sexual Misconduct	71	8	11%	65	1	2%	53	0	0%	51	1	2%	58	1	2%	70	0	0%	39	1	3%
Suicide Attempt	117	10	9%	133	7	5%	145	13	9%	159	23	14%	181	18	10%	155	15	10%	188	16	9%
Temp Release Related	129	1	1%	73	0	0%	36	0	0%	29	0	0%	28	1	4%	17	0	0%	23	0	0%
Staff Use of Weapons	155	146	94%	170	164	96%	143	132	92%	203	190	94%	191	176	92%	205	184	90%	293	280	96%
Employee Job Action	0	0	N/A	2	0	0%	1	0	0%	0	0	N/A	0	0	N/A	0	0	N/A	0	0	N/A
Other Incidents	498	70	14%	552	80	14%	488	69	14%	532	93	17%	541	102	19%	605	117	19%	976	116	12%
<b>Total</b>	<b>6055</b>	<b>1299</b>	<b>21%</b>	<b>6019</b>	<b>1342</b>	<b>22%</b>	<b>6145</b>	<b>1281</b>	<b>21%</b>	<b>6953</b>	<b>1588</b>	<b>23%</b>	<b>7797</b>	<b>1685</b>	<b>22%</b>	<b>9183</b>	<b>1982</b>	<b>22%</b>	<b>9846</b>	<b>1955</b>	<b>20%</b>

Workplace Violence UIs by Facility: 2010 - 2016							
Facility	2010	2011	2012	2013	2014	2015	2016
<b>Shock</b>							
Monterey Shock	0	0	0	1	0	0	0
Moriah Shock	0	0	0	2	2	1	0
Lakeview Shock	3	2	0	1	1	1	2
Sub-total	3	2	0	4	3	2	2
<b>Minimum Security</b>							
Lakeview Male Trans	1	2	1	3	3	3	1
Beacon	0	1	0	0	0	0	0
Edgecombe	0	0	0	0	3	0	2
Fulton	0	2	0	0	0	0	0
Lincoln	0	1	0	0	2	0	0
Queensboro	6	2	1	9	20	9	8
Rochester	0	0	0	0	1	2	0
Camp Georgetown	0	1	0	0	0	0	0
Edgecombe Work Release	1	0	0	0	1	0	1
Fishkill Work Release	0	0	0	0	0	1	0
Hudson Work Release	0	0	0	0	0	1	0
Sub-total	8	9	2	12	30	16	12
<b>Other</b>							
Edgecombe Res Trmt	0	0	1	4	1	3	2
Orleans PDP	0	0	0	0	1	0	0
Willard Gen.Male	3	3	7	3	2	6	4
Willard Gen.Female	0	0	0	0	0	0	1
Willard DTC Male	7	10	11	7	4	4	4
Willard DTC Female	0	1	1	1	1	0	2
Central Office	0	0	0	0	1	0	0
Sub-total	10	14	20	15	10	13	13
<b>Grand Total</b>	<b>1299</b>	<b>1342</b>	<b>1281</b>	<b>1588</b>	<b>1685</b>	<b>1982</b>	<b>1955</b>

Workplace Violence UIs by Facility: 2010 - 2016							
Facility	2010	2011	2012	2013	2014	2015	2016
Medium Security							
Adirondack	1	2	0	5	8	9	1
Albion	19	5	6	8	10	28	22
Altona	0	2	0	1	0	1	1
Arthur Kill	13	5	0	0	0	0	0
Bare Hill	12	5	10	8	20	23	17
Bayview	2	2	2	0	0	0	0
Butler	0	1	0	1	0	0	0
Cape Vincent	2	1	1	2	2	8	11
Cayuga	4	1	0	1	3	8	7
Chateaugay	0	0	5	1	0	0	0
Collins	0	0	3	3	4	12	9
Fishkill	20	15	27	26	30	47	38
Franklin	8	16	11	19	21	50	27
Gouverneur	3	4	0	4	2	7	8
Gowanda	15	12	10	9	17	21	18
Greene	14	16	24	17	25	31	10
Groveland	5	7	15	22	23	11	15
Hale Creek	2	0	0	0	1	2	1
Hudson	2	1	0	0	2	3	12
Livingston	3	2	9	1	9	9	9
Marcy	3	14	17	26	34	17	33
Mid-State	23	17	6	23	30	36	36
Mohawk	6	1	4	9	17	15	12
Mt. McGregor	1	2	5	5	0	0	0
Ogdensburg	0	0	2	1	0	3	6
Oneida	4	2	0	0	0	0	0
Orleans	17	9	2	13	13	18	14
Otisville	0	0	1	2	0	1	1
Riverview	1	2	2	1	9	15	4
Taconic	7	2	2	1	7	4	1
Ulster	4	1	2	4	12	4	6
Wallkill	1	2	0	1	3	3	4
Washington	5	12	8	6	17	33	32
Watertown	6	2	2	2	3	2	2
Woodbourne	1	4	3	6	3	6	5
Wyoming	4	2	6	15	21	20	19
Sub-total	208	169	185	243	346	447	381

Workplace Violence UIs by Facility: 2010 - 2016							
Facility	2010	2011	2012	2013	2014	2015	2016
Residential Mental Health Treatment Unit							
Attica	0	1	0	0	0	0	0
Five Points	11	2	0	0	0	0	0
Attica RMHU	0	2	5	3	2	8	8
Five Points RMHU	0	22	51	33	57	36	74
Marcy RMHU	74	65	45	58	45	65	62
Bedford Hills TBU	0	0	1	2	6	8	14
Great Meadow BHU	22	20	7	25	14	19	35
Sullivan BHU	5	13	7	3	0	0	0
Albion ICP	0	0	1	0	0	0	0
Attica ICP	2	0	0	1	4	9	4
Auburn ICP	3	2	1	0	3	1	1
Bedford Hills ICP	0	0	0	0	5	1	4
Clinton ICP	2	0	0	0	7	1	2
Elmira ICP	1	0	3	2	0	0	0
Fishkill ICP	0	1	0	1	1	1	0
Five Points ICP	0	5	1	0	2	3	1
Green Haven ICP	0	3	1	1	7	8	3
Great Meadow ICP	6	9	5	12	10	9	5
Midstate ICP	0	0	0	1	1	1	1
Sing Sing ICP	0	0	0	1	1	0	0
Sullivan ICP	1	9	5	3	10	10	2
Wende ICP	2	1	10	5	2	5	1
Sub-total	129	155	143	151	177	185	217
Regional Medical Unit							
Bedford Hills RMU	1	0	0	0	1	0	0
Coxsackie RMU	7	3	2	1	0	2	6
Fishkill RMU	0	0	2	8	1	0	0
Walsh RMU	5	3	3	8	8	3	5
Wende RMU	5	7	2	1	2	1	3
Sub-total	18	13	9	18	12	6	14



Workplace Violence UIs by Facility: 2010 - 2016							
Facility	2010	2011	2012	2013	2014	2015	2016
Maximum Security							
Attica	98	100	56	120	131	93	105
Auburn	63	97	110	94	71	187	134
Bedford-F	16	27	29	36	34	29	33
Clinton	99	119	75	139	125	160	190
Coxsackie	28	45	35	38	30	28	47
Downstate	23	31	64	46	38	64	57
Eastern	6	3	5	10	2	16	7
Elmira	56	68	54	92	96	61	78
Five Points	44	58	50	80	45	57	47
Great Meadow	115	74	83	157	161	158	183
Green Haven	72	70	53	68	86	119	90
Shawangunk	9	6	4	11	9	5	4
Sing Sing	75	59	60	46	65	51	58
Southport	31	49	35	17	18	38	40
Sullivan	4	16	16	15	37	75	78
Upstate	91	64	66	60	48	72	59
Wende	42	59	67	58	49	39	35
Sub-total	872	945	862	1087	1045	1252	1245
Special Housing SHU200							
Cayuga SHU200	9	1	5	5	2	4	0
Collins SHU200	4	12	12	8	11	14	13
Fishkill SHU200	11	3	24	15	11	14	22
Gouverneur SHU200	7	1	3	4	3	10	5
Greene SHU200	5	5	3	6	8	4	9
Lakeview SHU200	6	2	7	2	1	6	6
Mid-State SHU200	3	6	2	13	21	6	5
Orleans SHU200	6	5	4	5	5	3	11
Sub-total	51	35	60	58	62	61	71

## Workplace Violence

The requirement for Workplace Violence Prevention Programs (WVPP) within every state agency stems from the enactment of New York State Labor Law § 27-b in 2006 (with an effective date in 2007). Specifically, this law, entitled “Duty of Public Employers to Develop and Implement Programs to Prevent Workplace Violence” has the stated purpose “to ensure that the risk of workplace assaults and homicides is evaluated by affected public employers and their employees and that such employers design and implement workplace violence protection programs to prevent and minimize the hazard of workplace violence to public employees.” *Labor Law § 27b(1)*.

When enacted, the legislature published the following as its legislative findings:

The legislature finds and declares that workplace assaults and homicides are a serious public health problem that demands the attention of the state of New York. During the last decade, homicide was the third leading cause of death for all workers and the leading cause of occupational death for women workers. Workplace violence presents a serious occupational safety hazard for workers, but many employers and workers may be unaware of the risk. Moreover, the hazard of workplace violence is not currently addressed by any specific federal or state statute and regulation. It is critical to the maintenance of a productive workforce that employers and workers evaluate their workplaces to determine the risk of violence and to develop, and implement programs to minimize the hazard. Experience has shown that when employers evaluate the safety and health hazards in their workplaces and implement employee protection programs, the incidence of workplace injuries is reduced. The legislature, therefore, further finds and declares that the public health, safety and welfare would be advanced by enactment of a law to require that employers develop and implement workplace violence protection programs designed to minimize the danger to employees of workplace violence.

The law specifically requires written workplace violence prevention programs and indicates that the programs must include a) a list of risk factors, and b) the methods the employer will use to prevent incidents of occupational assaults and homicides. The law also requires employee information and training.

Following the enactment of the law, the Department of Labor was required to promulgate regulations outlining the specific requirements for workplace violence prevention programs. These regulations were promulgated in April, 2009, and are found in 12 NYCRR § 800.6.

The law and regulations specifically require employee input through employee representatives. As such, a committee was established within each agency, and representatives from the union were involved in the committee that established the required policy for the agency. DOCCS' policy is established through Directive #4960.

Other agencies also have workplace violence policies and procedures. For example, OMH has workplace violence policies for each of its facilities. Other State Agencies such as OPWDD have specific policies as well. It is critical that you ascertain your individual workplace violence policy and submit a copy to NYSCOPBA, attention Vinny Blasio, so that NYSCOPBA has every agency's and/or facility's workplace violence policy.

For the purpose of today's training, a lot of the discussion will be utilizing DOCCS Directive 4960. We recognize that each agency has their own individual policy; however, by focusing on 4960, the concepts of the workplace violence policy will be discussed and can be applied to other agencies as well. Again, it is critical that you ascertain your individual workplace violence policy.

At the outset, one of NYSCOPBA's objectives is to gather the necessary data of assault on all staff at all agencies. By understanding the workplace violence law, its history and individual policies of your department and/or agency, you will be able to gather the necessary data and make sure that the State and the individual agencies take appropriate actions to insure members' safety. It is imperative that at the end of the training, you learn to identify workplace violence incidences, make sure that the incidents are properly documented, that you communicate with your local facility/agency, and provide the specific incidents to NYSCOPBA so that appropriate action can be taken on a Statewide basis.

## **GOALS AND OBJECTIVES OF TRAINING**

1. At the conclusion of training, you will be able to identify workplace violence.
2. You will be provided the tools to address workplace violence situations.
3. Documentation - - to fully understand and address the gravity of workplace violence, it must be documented.
4. Insure that the identical work place incidents are alleviated and/or prevented in the future.
5. Properly report all incidents of workplace violence.
6. Report to DOCCS and/or your individual agency central headquarters the incidents of workplace violence.
7. Report the incidents of workplace violence to NYSCOPBA.
8. Members at the local level need to be involved.

Please note that it is impossible to cover every situation in four hours of training. However, if you can identify workplace violence and take action and know that NYSCOPBA is available to assist you, we will be able to utilize the law to reduce the amount of violence/assaults and other workplace violence at your work location.

## **OBJECTIVES**

### **TERMINAL OBJECTIVE:**

At the end of the training, the member will demonstrate a greater understanding of Workplace Violence regulations as they relate to DOCCS and other agencies through a group discussion.

### **ENABLING OBJECTIVE #1: (1 hour )**

The member, at the end of the training session will be able to explain the definition of Workplace Violence as described by New York State Department of Labor.

### **ENABLING OBJECTIVE #2: (1 hour)**

The member will be able demonstrate their understanding of the Workplace Violence Prevention program as described in DOCCS Directive #4960, through a group discussion.

### **ENABLING OBJECTIVE #3: (1 hour )**

After a group discussion, the member will be able to demonstrate their ability to complete forms used in the DOCCS Workplace Violence Prevention program.

### **ENABLING OBJECTIVE #4: (1 hour )**

The member, after a group discussion and becoming familiar with related forms, will understand the importance of being an active participant of Workplace Violence Prevention programs.

## **WHAT IS WORKPLACE VIOLENCE**

### **ENABLING OBJECTIVE #1: (1 hour)**

At the end of the training session, the member will be able to explain the definition of Workplace Violence as described by New York State Department of Labor.

New York State Department of Labor 12NYCRR part 800.6 defines workplace violence as: Any physical assault or acts of aggressive behavior occurring where a public employee performs any work-related duty in the course of his or her employment including but not limited to:

- An attempt or threat whether verbal or physical, to inflict physical injury upon an employee.
- Any intentional display of force which would give an employee reason to fear or expect bodily harm.
- Intentional and wrongful physical contact with a person without his or her consent that entails some injury.
- Stalking an employee with the intent of causing fear of material harm to the physical safety and health of such employee when such stalking has arisen through and in the course of employment.

Other terms defined by 12 NYCRR 800.6:

**WORKPLACE** - Any location away from an employee's domicile, permanent or temporary, where an employee performs any work-related duty in the course of his or her employment by an employer.

**IMMINENT DANGER** - Any condition or practices in any place of employment which are such that a danger exists which could reasonably be expected to cause death or serious physical harm immediately or before the imminence of such danger can be eliminated through the enforcement procedures otherwise provided.

**SERIOUS PHYSICAL HARM** - Physical injury which creates a substantial risk of death, or which causes death or serious and protracted disfigurement, protracted impairment of health or protracted loss or impairment of the function of any bodily organ, or sexual offense as defined in Article 130 of the Penal Law.

**AUTHORIZED EMPLOYEE REPRESENTATIVE** - An employee authorized by the employees or the designated representative of an employee organization recognized or certified to represent the employees pursuant to Article 14 of the Civil Service Law.

**SERIOUS VIOLATION** - A serious violation of the public employer workplace violence prevention program (WVPP) is the failure to:

- Develop and implement a program.
- Address situations which could result in serious physical harm.

**RETALIATORY ACTION** - The discharge, suspension, demotion, penalization or discrimination against any employee, or other adverse employment action taken against an employee in the terms and conditions of employment.

## **Exercise #1**

Using the defined terms in a group discussion review the four examples of workplace violence given with the definition.

## **Exercise #2**

John T. Miller a 50 year old truck driver who claimed that child-support payments had ruined his life walked into the Schuyler County office building and fatally shot four women whose jobs were to track down and collect support money. Miller walked into the office building at 10:00 a.m. carrying a briefcase and a duffel bag; there were no security checkpoints in place. Police confirmed that one of the bags carried by Miller was filled with ammunition. The County Sheriff went on record saying there was no security in the county office building because, "If a person is deranged enough, if they don't do it here, they do it someplace else".

If this occurred today, would this situation meet the definition of workplace violence? Why or why not?

What should be done?

- a. What steps should be followed?



## **RISK EVALUATION and DETERMINATION**

The employer is responsible for assessing the employees' work environment for the risk factors (hazards) they are actually or potentially exposed to. The regulation requires the participation of the Authorized Employee Representative during this process.

In order to be sure that a risk evaluation is conducted as per the Workplace Violence Prevention Program, it is important that the employee understands the definition of Workplace Violence as described in 12NYCRR 800.6.

Any physical assault or acts of aggressive behavior occurring where a public employee performs any work-related duty in the course of his or her employment including but not limited to:

- An attempt or threat whether verbal or physical, to inflict physical injury upon an employee.
- Any intentional display of force which would give an employee reason to fear or expect bodily harm.
- Intentional and wrongful physical contact with a person without his or her consent that entails some injury.
- Stalking an employee with the intent of causing fear of material harm to the physical safety and health of such employee when such stalking has arisen through and in the course of employment.

Key points of conducting risk evaluation:

1. **Record Examination** (12NYCRR 800.6 f.1) The employer shall examine any records relevant to the purposes of this part in its possession...  
A review of the employee accident and illness statistical information (form 1592 from directive #4065, maintained by the Fire & Safety Office) may help identify trends and types, causes and severity of injuries. NYS is required to maintain the SH900 log of Occupational Injuries and Illnesses. Where physical assaults are a frequent occurrence, evaluating workers' compensation claims may be useful.
2. **Administrative Risk Factors** (12NYCRR 800.6 f.2) The employer shall assess relevant policies, work practices, and work procedures that may impact the risk of workplace violence.  
A review of existing policies, for example: violence prevention, red dot responses, use of force/ restraints, critical incident management, workplace conflict, and facility policies. Gaining input from security and civilian staff may also provide valuable information on risk factors of workplace violence.

3. **Evaluation of Physical Environment** (12NYCRR 800.6 f.3) The employer with the participation of the Authorized Employee Representatives, shall evaluate the workplace to determine the presence of factors which may place employees at risk of workplace violence. There are tools available by the New York State Department of Labor to aid in performing such an evaluation. Factors which might place an employee at risk include but are not limited to:

- a. Working in a public setting (i.e. transportation of inmates, outside hospital details, work crews, facility lobby, inmate visit process).
- b. Working late at night or early mornings (i.e. less staff on duty, less programs).
- c. Working alone or in small numbers.
- d. Working in a location with uncontrolled public access, or uncontrolled inmate/patient access.
- e. Areas of previous security problems.

A physical workplace evaluation should consider the need for security improvements based on the type of setting and other occupational factors.

This part of the assessment will look at a building access, lighting, door locks, alarms, isolated spaces, etc.

Form #2098 "Monthly Safety, Environmental Services and Workplace Violence Inspection Report" as utilized in directive #4066 is a useful form to document concerns of the physical work environment on a monthly basis. Form #2098 is reviewed by the facility Deputy Superintendents, Superintendent, Fire & Safety Coordinator (Albany), and Director of Facility Planning (Albany)

Throughout the risk evaluation process, the group should document its findings. These records may be used to guide the development of plans to remedy the risk, and used to gauge the success of plans that are enacted as a result of an identified risk.

#### 4. **Implementing Prevention Control Measures**

The employer is responsible for analyzing the risk evaluation data to determine appropriate control measures that will prevent or reduce workplace violence. Feasible control measures should be implemented as soon as possible. Some hazard controls will require research, budgetary, or capital projects. It is important to document such planning.

There are three main types of control measures, referred to as the “hierarchy of control measures”:

1. **Engineering Controls** - eliminate or reduce the hazard through substitution or design.
  - a. Increased lighting
  - b. Adding security features to buildings
  - c. Eliminating isolated work areas
  
2. **Administrative Controls** - eliminate or reduce the hazard by changing organizational policies and procedures.
  - a. Increased staffing
  - b. Developing building access control procedures
  - c. Cross-shift communication to share information
  - d. Eliminate “idle time” for large groups of inmates/ patients
  - e. Personal alarms
  - f. Training
  
3. **Personal Protective Equipment (PPE)**
  - a. Gloves
  - b. Respirators
  - c. Body armor

The employer has a responsibility to address all risk factors that their employees are potentially exposed to.

An effort should be made to eliminate the hazard whenever possible. When total hazard elimination is not possible, try to change the way the job is performed, assigned, or scheduled to reduce the hazard.

Training should not be relied upon as the only control measure.

Implementation of control measures should have a balanced approach to changing individual worker practices versus organizational behavior.

## **Summary**

Before the “hierarchy of control measures” (Engineering, Administrative, PPE) can be utilized to eliminate workplace hazards, a risk evaluation must be conducted.

The risk evaluation can be conducted in three different ways:

1. Record Examination
2. Administrative Risk Factors
3. Evaluation of Physical Environment

## **ENABLING OBJECTIVE #2 (1 hour)**

The member will be able to demonstrate their understanding of the Workplace Violence Prevention program as described in DOCCS directive #4960, through a group discussion.

Please note that Directive #4960 was last revised on November 3, 2014 and is eleven (11) pages without any attachments.

The directive references:

- NYS Labor Law, Section 27-b
- 12 NYCRR Part 800.6

Additional directives that encompass Workplace Violence are, but not limited to:

- 0700 - Office of the Inspector General
- 2003 - Domestic Violence and the Workplace policy
- 2062 - Diversity Management Complaints
- 2605 - Sexual Harassment in the Workplace
- 4004 - Unusual Incident Reporting
- 4006 - Reporting Inmate Attitude and Behavior
- 4008 - Watch Commander's log
- 4018 - Security Classification Guidelines
- 4026 - Critical Incident Stress Management Plan
- 4064 - Facility Safety
- 4065 - Reporting Injuries and Occupational Illnesses
- 4066 - Facility Safety and Environmental Service Inspections
- 4091 - Logbooks
- 4803 - Inmate Program Placement
- 4910 - Control and Search for Contraband
- 4930 - Tool Control
- 4932 - Chapter 5, Standards Behavior & Allowances
- 4936 - Search of DOCCS Employees
- 6910 - Criminal Prosecution of Inmates
- 6920 - Internal Controls

### **Workplace Violence Committees**

At the facility level:

**Workplace Violence Prevention Program Committee (WVPPC)** is designated to review any incidents and reports of Workplace Violence. It shall be made up of the Executive team of the facility and local union representatives (Authorized Employee Representative) from all of the unions represented at the facility.

Form 4960A is the form to document results of the meetings held.

The committee shall also conduct an annual Risk Evaluation and Determination. This is in addition to the monthly "Facility Safety & Environmental Services Inspections" which are documented on form 2098 out of Directive 4066.

Issues and incidents requiring immediate attention shall be addressed as they are identified. The Department has determined the D.S.S. or equivalent at each facility will collect reported Workplace Violence incidents for review by the Executive Team and Union Representatives as a means to address correctable issues and ensure follow up action is taken if deemed necessary. (Directive 4960 pg. 3, Section IV-A)

**Central Office and Satellite Location Workplace Violence Prevention Committee (COWVPC)** is made of Department staff determined by the Commissioner and Union Representatives designated by each Union. The function of this Committee is in similar fashion as the WVPPC at the facility level.

**Statewide Workplace Violence Prevention Committee (SWVPC)** is made of Department staff determined by the Commissioner and Union Representatives as designated by each Union.

The main function of the SWVPC is to conduct an annual review of the Department's overall Workplace Violence Prevention Program and to review Workplace Violence Prevention Program related issues with statewide implications.

## **WORKPLACE VIOLENCE INCIDENT LOG**

The Deputy Superintendent of Security (DSS) will maintain a log of incident of Workplace Violence. The log shall maintain the following fields:

- date
- time
- location
- description of incident
- injuries
- witnesses
- action taken

Other ways Workplace Violence data may be collected:

1. **Unusual Incident Reporting System** - *Directive 4004* defines several categories of UIs that fall under the definition of Workplace Violence.  
**Reporting** - UIs that depict an incident of Workplace Violence shall be identified upon review of the final report and forwarded to the DSS. An automated report under this system is generated monthly and forwarded to the DSS.
2. **Watch Commander's Log** - *Directive 4008* directs the Watch Commander to chronologically record all significant events as they occur, and serves as a reference record for the Executive Team and supervisory staff.

3. **Monthly safety & Environmental Services Inspection Reports** - *Directive 4066* describes how each facility will have a committee of managerial staff and Union Representatives. Each month committee members tour designated areas of the facility and report their findings on the monthly report (form 2098). These meetings allow for the review of the conditions or practices that could lead to potential incidents of Workplace Violence.

4. **Inmate Disciplinary System** - the system reports incidents of inmate misbehavior regarding a wide variety of rule violations including assaults and threats on staff. The Hearing Officer has a place to note if the incident was Workplace Violence.

**Reporting** - Incidents that contain Workplace Violence will be identified. An automated report will be generated monthly and forwarded to the DSS.

5. **Population Management Committees** - made up of staff designated by the First Deputy Superintendent or DSS. This committee monitors certain inmate activity and routinely evaluates information which is obtained from all areas ensuring data is collected in one central area.

**Reporting** - Information reported to this committee is a critical component for Risk Evaluation and Determination. The DSS is responsible to ensure that appropriate information from this committee is reviewed by the WVPPC.

6. **Labor Management Meeting Minutes** - *Directive 2104* is a forum for management and labor to discuss issues of interest in an attempt to reach mutually acceptable resolutions, foster good communication, and to provide a safe workplace.

7. **Occupational Accidents/ Injuries** - *Directive 4065*, recordable occupational injuries are investigated by the Facility Fire & Safety Officer and the area supervisor. Monthly reports are available on form #1592 for employees and form #1593 for inmates.

8. **Internal Audit Guides** - *Directive 6920* directs each facility to complete an Annual Internal Audit Guide that is a self-audit tool with questions covering a broad range of facility policies and procedures from every major discipline. Negative responses require explanation and are followed up with appropriate Central Office staff.

9. **Departmental Correspondence** - *Directive 0010*, All Workplace Violence related correspondence, including employee/ supervisory memorandums, is to be responded to as quickly as possible and, if deemed necessary, referred to appropriate Department Divisions (i.e. IG, Diversity Management, Labor Relations, etc.) for response.

**Reporting** - according to *Directive 4960* any correspondence received from an employee, supervisory, or Union Representative that involves an incident of Workplace Violence shall be evaluated.

**Note** - If a reported incident of Workplace Violence has been documented as a UI or Inmate Misbehavior report, no additional reporting is required. (*Directive 4960*, pg. 7)

## **REPORTING REQUIREMENTS**

Any employee who believes that he or she is the victim of Workplace Violence is to submit a written report to the supervisor, Superintendent, or a Union Representative. It is the responsibility of all employees to report all threatening behavior, whether from an inmate, the general public, or another employee (regardless of rank/ title) so appropriate action can be taken immediately.

### **Responsibility of Employee**

1. Immediately notifies his or her supervisor of a condition that may be a possible Workplace Violence threat.
2. Completes a memorandum consisting of:
  - a. date & time
  - b. location
  - c. description of incident
  - d. injuries
  - e. witnesses
  - f. UI or UOF number
  - g. any other information that may specify the situation and submits the information in writing to the supervisor

### **Responsibility of the Supervisor**

1. Must take appropriate action
2. Forward the memorandum to the DSS to ensure the document is entered into the Workplace Violence log.

### **Responsibility of the DSS**

1. Collect all reported incidents of Workplace Violence through multiple reporting systems including memorandum
2. Maintain the reports for internal review, inspection by Department of Labor, and for presentation to the WVPPC during the annual review.

### **Responsibility of Union Representative**

NYSCOPBA has the obligation to represent its members regarding terms and conditions of employment. As part of that responsibility, NYSCOPBA is responsible to administer the collective bargaining agreement.

On December 29, 2009, NYSCOPBA filed an improper practice charge with PERB challenging that Directive 4960 as being wrought with references to union representatives and their responsibilities in the Workplace Violence Program. NYSCOPBA argued that in Directive 4960, DOCCS assigns duties, responsibilities and managerial functions to NYSCOPBA's stewards in



their union capacity that require union stewards to submit reports against NYSCOPBA members that may lead to the discipline of NYSCOPBA's members. After a conference with the Public Employment Relations Board (PERB) Assistant Director Susan Comenzo, the parties agreed that, with respect to members of the Security Services Unit, the terms "union representative" and "authorized employee representative" in Directive 4960 refers to only those individuals designated by NYSCOPBA and will not apply to any other individuals, including union officials, not designated by the bargaining agent. This directive does not affect any of the rights and responsibilities of union stewards, including privileged communications.

The confidentiality that union officials possess with its membership is critical to proper representation. This agreement recognizes the importance of that privilege. It is important that the union designate an individual to assist with workplace violence complaints.

## **Summary**

All staff have an obligation to be an active part of an effective Workplace Violence Program. The employee has a responsibility to report potential Workplace Violence situations. The supervisor has the responsibility to take appropriate action based on the information forwarded by the subordinate. The DSS has the responsibility to collect and maintain Workplace Violence reports, as well as forward the matter "further up the ladder" if he or she deems necessary.

There are at least ten (10) different ways Workplace Violence is reported. Some are automated reports sent to the DSS, others are manual reports. Educating yourself and fellow members on the different ways Workplace Violence is reported may increase the accuracy of the reports.

When filing a Workplace Violence incident be mindful to include all the information requested per Directive 4960, to insure the incident can be dealt with efficiently and accurately.

Active participation at meetings such as Environmental & Health Services, Labor Management, Population Committee, and the Workplace Violence Prevention Program Committee will increase your awareness of how possible Workplace Violence matters are dealt with at your facility.

Matters not resolved at the facility level may be able to be forwarded to the Statewide Workplace Violence Prevention Committee if there might be statewide implications.

Directive 4960 relies on several other Directives to aid in identifying, reporting, investigating, and mitigating Workplace Violence related issues.

### **ENABLING OBJECTIVE #3 (1 HOUR)**

After a group discussion, the member will be able to demonstrate their ability to complete forms used in the DOCCS Workplace Violence Prevention program.

There are several forms used within DOCCS. The list below is not a complete list of the forms used in the Workplace Violence Program. The forms below were either mentioned in the training program or Directive 4960.

#### **SH-900 Log - NYSDOL log of Work Related Injuries and illness Form 1203**

##### **SH-900 Log**

This NYS Department of Labor must be completed by the facility. It is also included in the annual meeting at the facility level. The form must be retained for five years.

This form must be filled out to report every:

- death,
- work-related injury,
- or illness that involves loss of consciousness, restricted work activity, days away from work, or medical treatment beyond first aid



**Form 1203**

Employee accident/ injury report should be completed any time an employee is injured while on duty. Accurate information is important for the Fire & Safety Officer to be able to complete form 1592.

Statement of Employee (#12 on form) is an opportunity to state how the Workplace Violence incident is related or caused the injury.

Name of Witnesses (#15 on form) may be used to further gain information of a Workplace Violence incident. Additionally, injuries from the same Workplace Violence incident will be able to be connected.

Including the Use of Force or Unusual Incident number on form 1203 is a good habit to be able to reference more material detailing the Workplace Violence incident at later date.

### EMPLOYEE ACCIDENT / INJURY REPORT

DELIVER THIS REPORT TO PERSONNEL WITHIN 24 HOURS  
 (#1 - 14 to be completed by Employee)

Personnel use Only (check one)	<input type="checkbox"/> Lost Time
	<input type="checkbox"/> No Lost Time

1. Facility		2. Date of Accident	
3. Time of Accident		4. Place of Accident	
5. Employee Name		6. Title	
7. Employee Work Location		8. Shift	9. Pass Days
10. Employee remained on duty? Yes <input type="checkbox"/> No <input type="checkbox"/>		11. Employee required medical attention? Yes <input type="checkbox"/> No <input type="checkbox"/>	
12. Statement of Employee    			
<p><u>Note: Secondary Employment:</u> A preexisting authorization for outside employment will be automatically reviewed for any period of time that an employee is on a Limited Duty assignment or absent from work as a result of an illness or injury (see Directive #2218, "Outside Employment").</p>			
13. Signature of Employee: _____		14. Date: _____	
15. Name of Eyewitnesses: _____			
16. Statement of Supervisor: _____			
17. Supervisor's Name		18. Supervisor's Signature	19. Date
_____		_____	_____

#### FACILITY HEALTH SERVICES REPORT

20. Evaluation/Findings: _____    	
21. Services Provided: <input type="checkbox"/> First Aid/Assessment <input type="checkbox"/> Medical Treatment: _____    	
22. Personal Physician of Injured Employee: _____ Phone No.: _____  Address: _____	
23. Date Injury Reported to Medical Unit: _____	24. Time: _____
25. Signature: _____	26. Title: _____

**Form 1592**

Employee/ Volunteer accident log is maintained by the Fire & Safety Officer at each facility.

It is the Fire & Safety Officer's responsibility to investigate any injury that would be recordable on form SH-900. A complete and detailed submitted form 1203 will assist the Fire & Safety Officer in identifying injuries and illnesses that have to be investigated.

Another function of the Fire & Safety Officer is to forward any Workplace Violence related incidents or injury reports to the DSS for review and appropriate action.

Form 1592 may be used to compare injuries received by the Fire & Safety Officer to the injuries reported on SH-900.



**Form 2098**

## Monthly Safety, Environmental Services and Workplace Violence Inspection Report

The facility Safety and Environmental Services Committee shall be responsible to ensure that a complete inspection of the facility is conducted once a month. No Committee member should inspect any area for which he/ she is responsible. The Fire/ Safety Officer should accompany a different committee member on each monthly inspection. These inspections should determine whether:

- a. The quality of work meets established standards.
- b. The areas inspected are safe and clean and control of pests is evident.
- c. There are situations which are or may become health, fire, or safety hazards.
- d. There are any areas needing improvements of maintenance.
- e. The housing areas are properly heated and ventilated.
- f. The exteriors of buildings and grounds are free from safety hazards.
- g. The environmental controls and standards are satisfactory.
- h. The safety equipment is being used as required.
- i. The food service areas are free of imminent health hazards such as poor sanitary practices.
- j. The appropriate action to remedy problems and follow up on corrective action delegated to other persons has been taken.
- k. Workplace Violence risk factors are present.

**Role of Union Representatives** - Serve as members of the Committee: suggest improvements in the conditions of the workplace and perform any other duties assigned by the Chairperson.

NOTE: If during the inspection an area of serious concern is discovered, it shall be reported immediately to the Chairperson who shall notify the Superintendent. The Superintendent may take appropriate action to remedy the problem or bring it to the attention of the appropriate Central Office Executive.

The Committee Secretary will consolidate the individual reports identifying only the rated deficiencies on electronic mail and submit the consolidated deficiency report to the Chairperson.

The Committee Chairperson will review the report and transfer it to the Superintendent with their comments within ten working days of the completion of each monthly inspection.

Form #2098 is to be retained for three years.



## MONTHLY SAFETY, ENVIRONMENTAL SERVICES AND WORKPLACE VIOLENCE INSPECTION REPORT

BUILDING # / AREA: \_\_\_\_\_ Inspection

Date: \_\_\_\_\_

SAFETY FACTORS

- A.  Are Receptacles Overloaded
- B.  Emergency Equipment Available
- C.  Emergency Lights Working
- D.  Emergency Routes Posted
- E.  Emergency Exits Unobstructed
- F.  Fire Extinguisher Charged/Ready
- G.  Fire Hose Cabinets Clean-Hoses Empty
- H.  Fire or Safety Hazards Present
- I.  First Aid Kits/BVMs complete
- J.  Narcan Kits complete \_\_\_\_\_  
Tamper Seal # / Expiration Date
- K.  Tool Control
- L.  Pipe/Duct Insulation
- M.  Safety Rules Posted
- N.  Safety Practices Observed
- O.  Water Leaks
- P.  No Smoking Areas Posted/Observed
- Q.  Hazardous Materials Present
- R.  Cabinets Locked
- S.  Form 2092 Maintained and Accurate
- T.  Inventory/Contents & Accuracy
- U.  AEDs
- V.  Eyewash Station
- W.  Lockout Tag/Out Program Reviewed
- X.  Wet Floor Signs Posted

ENVIRONMENTAL FACTORS

- 1.  Baseboards Clean
- 2.  Ceilings Clean
- 3.  Floors Clean
- 4.  Walls Clean
- 5.  Windows Clean
- 6.  Cells Clean (List Below if Not)
- 7.  Shower Area Clean
- 8.  Slop Sinks Clean
- 9.  Pipe Chases Clean
- 10.  Mops Clean and Hung
- 11.  Garbage/Trash Cans Covered
- 12.  Pests Controlled
- 13.  Proper Supplies Used
- 14.  Excess Supplies on Hand
- 15.  Proper Heat/Ventilation
- 16.  Repairs Required
- 17.  Posted Housekeeping Plans

WORKPLACE VIOLENCE FACTORS\*

- I.  Adequate Lighting
- II.  Locking Devices
- III.  Doors/Gates Operational
- IV.  Personal Alarm Device
- V.  Visibility/Sight Lines
- VI.  Other

ITEM	COMMENT DEFICIENCIES	CORRECTIVE ACTION, DATE, SIGNATURE

\_\_\_\_\_  
INSPECTOR NAME PRINTED

\_\_\_\_\_  
INSPECTOR NAME PRINTED

\_\_\_\_\_  
SIGNATURE OF INSPECTOR

\_\_\_\_\_  
SIGNATURE OF INSPECTOR

NOTE: Deficiencies are to be corrected. How they were corrected is to be noted in the column provided. This completed form is to be returned to the 1st Dep. Supt's (or Dep. for Admin. for facilities without a F.D.S.) office by:

C.O.B. \_\_\_\_\_.

\* If any potential Workplace Violence factors are marked as "U" a copy of this report shall be forwarded to the DSS for evaluation and appropriate action if necessary.

Mark "S" if Satisfactory  
"U" if Unsatisfactory  
"N/A" if Non-Applicable

Dist: 1st - Original for File  
2nd - Retain for Reference in Next Inspection  
3rd - Area Supervisor for Corrective Action  
4th - Leave in Area Inspected for Corrective Action  
3&4 - Return to Chairman when all Deficiencies are corrected

\_\_\_\_\_  
RECEIVED BY

### **Form 4960A**

Workplace Violence Prevention Program Committee Meeting Minutes

The WVPCC at each facility is designated to review any incidents and reports of Workplace Violence. It shall comprise of the facility Executive Team and union representatives from all unions represented at the facility. Use form 4960A for minutes from meetings.

Additionally the committee shall also conduct an annual Risk Evaluation and Determination as outlined in Section IV of Directive 4960.

### **Form 4960A-1**

A manual or electronic log that will be maintained by the DSS for Correctional Facilities to record incidents of Workplace Violence that are not captured by the automated reporting systems. Workplace Violence issues that are reported via correspondence or memorandum shall be reported in this log.

The log shall contain the following fields: date, time, location, description of incident, injuries, witnesses, and action taken.

### **Form 4960A-2**

In accordance with Directive 4065 "Reporting Injuries and Occupational Illness" recordable occupational injuries are investigated by the facility Fire Safety Officer and the area supervisor or Central Office.

SH-900 Log is filled out to report every death, work-related injury, and/ or illness that involves loss of consciousness, restricted work activity, days away from work, or medical treatment beyond first aid.

### **Form 4960A-3**

Review form 2098, specifically Workplace Violence Factors Column.

### **Form 4960A-4**

An opportunity to review items discussed and reviewed during Labor Management Meetings.

### **Form 4960A-5 & 6**

Review the automated generated reports.

### **Form 4960A-7, 8, 9**

Population Management Committee reports.

Internal Controls - Directive #6920.

Departmental Correspondence.

**CORRECTIONAL FACILITY**

**Workplace Violence Prevention Program Committee Meeting Minutes**

(Reporting period: At least annually, or as deemed necessary by the committee)

Date of Meeting:

For each set of data if workplace violence incidents are reported, list the incident and date and review to determine if appropriate action was taken at the time. If the committee does not reach a consensus, the incident and related background information should be forwarded to the Statewide Workplace Violence Prevention Program Committee (SWPPC). Please indicate if no workplace violence incidents were reported.

**I. REVIEW OF WORKPLACE VIOLENCE INCIDENT LOG (Dir. #4960, section IV-A-2-e):**

- 1
- 2
- 3
- 4

**II. REVIEW OF SH-900 AND SH-900.1 LOGS:**

- 1
- 2
- 3
- 4

**III. FORM #2098, "MONTHLY SAFETY, ENVIRONMENTAL SERVICES AND WORKPLACE VIOLENCE INSPECTION REPORT — (Workplace Violence Factors Column) REVIEW:**

- 1
- 2
- 3
- 4

**IV. REVIEW OF LOCAL LABOR MANAGEMENT MEETING MINUTES:**

- 1
- 2
- 3
- 4

**V. REVIEW OF UNUSUAL INCIDENT REPORTS (Force Print 15<sup>th</sup> of each month):**

- 1
- 2
- 3
- 4

**VI. REVIEW OF INMATE DISCIPLINARY SYSTEM (FIDS Force print 15<sup>th</sup> of each month):**

- 1.
- 2.
- 3.
- 4.

**VII. MISCELLANEOUS (Any other reported information brought by the DSS or committee members, including Union Representatives related to workplace violence, e.g. Memorandums, verbal reports, Population Management information, etc.):**

**VIII. ANNUAL PROGRAM REVIEW/RISK EVALUATION (List risk factors (if any) that are identified as a result of the annual review/risk evaluation. Additionally list any corrective actions taken as a result of data/program review. If consensus cannot be reached, refer to SWVPC and document referral in section IX of this minutes form):**

**IX. STATEWIDE WVPC REFERRAL (Use this section to list workplace violence incidents or related issues for statewide committee referral, briefly list all relevant information and reports as related to the incident and submit to the Assistant Commissioner):**

## **Form 4960D**

### Workplace Violence Incident Report.

Each employee who believes he/ she is the victim of Workplace Violence is to submit a written report to his/ her immediate supervisor, or the Superintendent, or Union Representative. (Please make sure a designee is appointed by the union representative).

It remains the responsibility of all employees to report all threatening behavior, whether from:

- an inmate.
- the general public.
- or another employee.

Instances of inmate misbehavior shall continue to be reported with an "Inmate Misbehavior Report".

In the absence of form 4960D the following information must be included in the written complaint:

- date/ time
- location
- description
- injuries
- witnesses
- names & titles of involved employees

The supervisor must take appropriate action, if necessary, and then forward the memorandum to the DSS Office to ensure it is documented in the Workplace Violence Incident Log.



#### **ENABLING OBJECTIVE #4**

The member, after a group discussion and becoming familiar with related forms, will understand the importance of being an active participant of the DOCCS Workplace Violence Prevention Program.

A group discussion will take place to reinforce the information and forms presented.

The information that has been provided is intended to provide a greater understanding and awareness to the NYSCOPBA member of the Workplace Violence regulations that are enforced by the NYS Department of Labor.

#### **REFERENCE MATERIAL:**

[www.labor.ny.gov](http://www.labor.ny.gov)



12 NYCRR PART 800.6 and appendices

NYS Labor Law Article 2 sub 27-b

Departmental memorandums (DOCCS)

DOCCS directive #4960 and attachments

DOCCS directive #4066 and attachments

 <b>Corrections and Community Supervision</b>  <b>DIRECTIVE</b>	TITLE <b>Workplace Violence Prevention Program</b>		NO. 4960
			DATE 05/24/2016
SUPERSEDES DIR #4960 Dtd. 11/03/2014	DISTRIBUTION A	PAGES PAGE 1 OF 14	DATE LAST REVISED
REFERENCES (Include but are not limited to) NYS Labor Law, Section 27-b; 12 NYCRR, Part 800.6; Article 14 of Civil Service Law; Workers' Compensation Law; Labor Law Section 27-a; Various DOCCS directives	APPROVING AUTHORITY 		

- I. **PURPOSE:** In accordance with New York State Labor Law, Section 27-b, public employers are required to develop and implement programs to prevent, minimize, and respond to incidents of Workplace Violence. The New York State Department of Labor (DOL) has outlined the specific program requirements for all affected employers in regulation 12 NYCRR Part 800.6.
- II. **POLICY:** In accordance with the regulation, the policy as stated in this directive was developed with full employee participation with input provided by the authorized employee representatives. A major part of the Department of Corrections and Community Supervision's (DOCCS) core mission is to enhance public safety by providing appropriate treatment services for all inmates in workplaces (correctional facilities, field offices, and administrative offices) that are safe, secure, and, to the extent possible, free from Workplace Violence. There are many directives and procedures currently in effect which all work together to create a strong and responsive Workplace Violence Prevention Program (WVPP). The Department does not tolerate Workplace Violence. The policy statement from the Commissioner regarding [WVPP](#) will be posted conspicuously on employee bulletin boards.

The Department is committed to ensuring that any potential risk of Workplace Violence is evaluated by both the Department and Union Representatives as soon as possible. It remains the responsibility of all employees to report all threatening behavior and incidents of Workplace Violence, whether from an inmate, the general public, or another employee, to their immediate supervisor through a memorandum or existing reporting systems, or to the Superintendent, Bureau Chief, Regional Director, Division Head, or Union Representative so appropriate evaluation and action can take place (see Sections IV-C and V-B).

The Department recognizes that the input of its employees is an important component of this Program. Therefore, retaliatory action against any employee that submits a report of Workplace Violence will not be tolerated. Employees are also encouraged to provide suggestions that may improve working conditions with the goal of preventing any future Workplace Violence incidents.

Workplace Violence risk factors within the Department include the following:

- Potential risk of assault from inmates/parolees
- Potential exposure to violent conduct from inmates/parolees
- Potential exposure to threats from inmates/parolees



- The methods the Department utilizes to prevent incidents of Workplace Violence are:
  - Security Controls
  - Written directives, policies, and procedures as described in Section IV
  - Employee training as described in Section VI
  - Personal Protective Equipment
  - Risk evaluations as described in IV-A and V-A

**III. DEFINITIONS:** As used in or in connection with this directive, the following terms are defined as indicated below:

- A. Authorized Employee Representative: An employee authorized by the employees or the designated representative of an employee organization, recognized or certified to represent the employees pursuant to Article 14 of Civil Service Law. For the purposes of this directive, these individuals will be referred to as Union Representatives.
- B. Imminent Danger: Any conditions or practices in any place of employment which are such that a danger exists which could reasonably be expected to cause death or serious physical harm immediately or before the imminence of such can be eliminated through the enforcement of the procedures as outlined in this directive.
- C. Retaliatory Action: The discharge, suspension, demotion, penalization, or discrimination against any employee, or other adverse employment action taken against an employee in the terms and conditions of employment.
- D. Risk Evaluation and Determination: An employer's inspection or examination of its workplace, with the participation of Union Representatives, to determine if factors exist that might place employees at risk of Workplace Violence. Refer to Sections IV-A and V-A for requirements.
- E. Serious Violation: A serious violation of the employer's Workplace Violence Prevention Program is the failure to:
  - 1. Develop and implement a Program; or
  - 2. Address situations which could result in serious physical harm.
- F. Supervisor: Any person within the employer's organization who has the authority to direct and control the work performance of an employee, or who has the authority to take corrective action regarding the violation of a law, rule, or regulation to which an employee submits written notice.
- G. Workplace: Any location, permanent or temporary, away from an employee's domicile where an employee performs any work-related duty in the course of his or her employment by an employer.
- H. Workplace Violence: Any physical assault or acts of aggressive behavior occurring where a public employee performs any work-related duty in the course of his or her employment including, but not limited to:
  - 1. An attempt or threat, whether verbal or physical, to inflict physical injury upon an employee;
  - 2. Any intentional display of force which would give an employee reason to fear or expect bodily harm;

3. Intentional and wrongful physical contact with a person without his or her consent that entails some injury;
  4. Verbal abuse that would give a person a reason to fear escalation and bodily harm; or
  5. Stalking an employee with the intent of causing fear of material harm to the physical safety and health of such employee, when such stalking has arisen through and in the course of employment.
- I. Workplace Violence Committees
1. Workplace Violence Prevention Program Committee (WVPPC): This committee is specific to each correctional facility and Community Supervision, and is designated to review any incidents and reports of Workplace Violence. It shall be comprised of the facility Executive Team and Union Representatives from all of the unions represented at the facility. The committee shall record the results of these meetings via the standardized "Workplace Violence Prevention Program Committee Meeting Minutes," [Form #4960A](#). The committee shall also conduct an annual Risk Evaluation and Determination as outlined in Section IV for correctional facilities and in Section V for Community Supervision field offices. **Note:** Each correctional facility's and community supervision office's physical environment and operations may differ somewhat based on specific programs and operational needs. During the annual Risk Evaluation and Determination any unique condition should be reviewed and appropriate measures taken with the goal of preventing Workplace Violence incidents.
  2. Central Office and Satellite Location Workplace Violence Prevention Committee (COWVPC): This committee is comprised of Department staff as determined by the Commissioner and Union Representatives as designated by each Union. The committee shall review incidents of Workplace Violence and conduct an annual review of the Central Office and Satellite Location Workplace Violence Prevention Program.
  3. Statewide Workplace Violence Prevention Committee (SWVPC): This committee is comprised of Department staff as determined by the Commissioner and Union Representatives as designated by each Union. The main functions of this committee are to conduct an annual review of the Department's overall Workplace Violence Prevention Program and to review Workplace Violence Prevention Program related issues with Statewide implications.
- J. Workplace Violence Types
1. Criminal Intent: Violent acts by perpetrators who have no legitimate connection with the workplace, but who commit a crime against an employee.
  2. Visitor/Inmate: Violence directed at employees by individuals under the supervision of the Department, or any other person who receives services from or has business with the Department or its employees.
  3. Co-Worker: Violence among coworkers, supervisors, managers, or subordinates.

4. Personal: Violence in the workplace by someone who has a personal relationship with an employee. Please refer to Directive #2003, "Domestic Violence and the Workplace Policy."
- K. Workplace Violence Incident Log: A manual or electronic log that will be maintained by the Deputy Superintendent for Security (DSS) for Correctional Facilities, Community Supervision Regional Directors, and the Central Office Liaison to record incidents of Workplace Violence that are not captured by the automated reporting systems. Workplace Violence incidents or issues that are reported via correspondence or memorandum shall be reported in this log. The log shall contain the following fields: date, time, location, description of incident, injuries, witnesses, and action taken.

#### **IV. WVPP – CORRECTIONAL FACILITIES, CENTRAL OFFICE AND SATELLITES**

- A. Risk Evaluation and Determination: Due to the risks involved in the daily operation of correctional facilities, the Department continuously evaluates security risk issues through a variety of reporting mechanisms and inspection procedures as defined in numerous Departmental policies. The Department will undertake periodic Risk Evaluations and Determinations in accordance with the regulation.

The risk evaluation of the physical environment shall be carried out at correctional facilities by the Environmental Services Committees. In accordance with Directive #4066, "Facility Safety and Environmental Services Inspections," these committee members conduct monthly inspections of all areas of the facility. These inspections are documented on Form #2098, "Monthly Safety, Environmental Services and Workplace Violence Inspection Report," which includes Workplace Violence risk factors. These forms will be forwarded to the DSS when a Workplace Violence risk is identified for evaluation and appropriate action if necessary. This committee is composed of facility supervisory staff, as well as Union Representatives, and meets monthly to review the results of the inspections and ensure appropriate actions are taken in response to any reported deficiencies (also see Section IV-A-1-c below).

A second major component of the Department's Risk Evaluation and Determination is the review of recordable accidents and illnesses. In accordance with Directive #4065, "Reporting Injuries and Occupational Illnesses," Workers' Compensation Law, and Labor Law Section 27-a, all recordable employee accidents and illnesses are documented and investigated. The Fire and Safety Officer maintains these incident reports and also records them in corresponding logs. Additionally, recordable accidents and illnesses are maintained via the Department of Labor Form SH-900, "Log of Work Related Injuries and Illnesses," and the SH-900.1, "Summary of Work-Related Injuries and Illnesses." The SH-900 log and SH-900.1 report shall be reviewed annually, during the month of February, by the WVPPC. The Fire and Safety Officer, when maintaining the logs, will forward any potential Workplace Violence-related reports to the DSS for review and appropriate action if necessary. The Central Office and Satellite Location Liaison shall provide the COWVPC with the SH-900 log and SH-900.1 report for those locations.

In accordance with 12 NYCRR, Part 800.6(g)(2), the Department will follow a hierarchy of controls consisting of engineering controls, operational procedures, and the use of personal protective equipment as described in Directive #2121, "Personal Protective Equipment."

Issues and incidents requiring immediate attention shall be addressed as they are identified. Additionally, the Department has determined that the DSS or equivalent at each facility will collect reported Workplace Violence incidents for review by the Executive Team and Union Representatives (see Section VII-B below for privacy concerns) as a means to address correctable issues and ensure follow up action is taken if deemed necessary. Facility Operation Manuals (FOMs) shall be reviewed annually in accordance with Directive #6920, "Internal Controls."

**Note:** For Central Office and Satellite Locations, the collection of reported incidents for review will be carried out by a Liaison as designated by the Commissioner (Central Office Liaison). Risk evaluations at these locations shall be performed by Department staff and Union Representatives under the coordination of the Central Office Liaison and documented on [Form #4960C](#), "Workplace Violence Prevention Risk Evaluation Results."

#### *Workplace Violence Risk Evaluation Data*

1. Workplace Violence related data is recorded and reviewed as part of established Department reporting mechanisms. Examples of some of these data generating mechanisms and reporting procedures for correctional facilities include:
  - a. Unusual Incident Reporting System: Statewide electronic system utilized to categorize Unusual Incidents as defined in Directive #4004, "Unusual Incident Report." There are several categories of Unusual Incidents that fall under the definition of a Workplace Violence incident.
  - b. Watch Commander's Log: In accordance with Directive #4008, "Watch Commander's Log," logbook that is maintained by the designated Watch Commander to chronologically record all significant events as they occur during each tour and serves as a reference record for the Executive Team and supervisory staff.
  - c. Monthly Safety and Environmental Services Inspection Reports: In accordance with Directive #4066, "Facility Safety and Environmental Services Inspections," each facility has a committee that shall be composed of both managerial staff and Union Representatives. Each meeting shall continue to be a forum in which concerns and suggestions for improvement in workplace conditions can be resolved. Each month committee members tour designated areas of the facility and report their findings on the monthly inspection report (Form #2098). These meetings allow for the review of conditions or practices that could lead to potential incidents of Workplace Violence.
  - d. Inmate Disciplinary System: The Department's three tiered disciplinary system reports incidents of inmate misbehavior regarding a wide variety of rule violations including assaults and threats on staff. The Hearing Officer has the discretion to impose various confinement/loss of privileges sanctions.
  - e. Population Management Committees: Comprised of facility personnel as designated by the First Deputy Superintendent or DSS. This committee monitors certain inmate activity and routinely evaluates information which is obtained from all areas ensuring data is collected in one central area.

2. Examples of some of these data generating mechanisms and reporting procedures for correctional facilities and Central Office/Satellite Locations include:
  - a. Labor Management Meeting Minutes: Local labor management meetings (see Directive #2104, "Local Labor/Management Committees") are a forum for management and labor to discuss issues of interest in an attempt to reach mutually acceptable resolutions and to foster good communications and to provide a safe workplace.
  - b. Review of Reported Occupational Accidents/Injuries: In accordance with Directive #4065, "Reporting Injuries and Occupational Illnesses," recordable occupational injuries are investigated by the facility Fire and Safety Officer and the area supervisor or Central Office or Satellite Location Liaison.
  - c. Self-Assessment Guides: In accordance with Directive #6920, "Internal Controls," every facility completes an annual Self-Assessment Guide that is an audit tool with questions covering a broad range of facility policies and procedures from every major discipline. Negative responses require explanation and are followed up with appropriate Central Office staff.
  - d. Departmental Correspondence: In accordance with Directive #0010, "Departmental Correspondence," correspondence which defines or interprets Department policy, discusses sensitive or controversial matters, concerns the welfare of inmates, or concerns institutional security will be sent to the Superintendent. All Workplace Violence-related correspondence, including employee/supervisory memorandums, is to be responded to as quickly as possible and, if deemed necessary, referred to appropriate Department Divisions (e.g., Office of Special Investigations, Office of Diversity Management, Bureau of Labor Relations, etc.) for response (see Section IV-C for reporting/recording procedures).
  - e. Workplace Violence Incident Log: Refer to Section III-K.

**Note:** Workplace Violence incident reporting is not limited to these processes. The expectation is that workplace administrators and Union Representatives at each workplace have an intimate knowledge of the physical layout, areas, and policies that could impact the risk evaluation component.

- B. Additional Protocols: Each Superintendent and the Liaison for Central Office and Satellite Locations shall institute this Workplace Violence Prevention Program that shall include the following:
  1. A procedure whereby, at the time of their initial assignment, and annually thereafter, each employee will be informed and trained on the risks of potential Workplace Violence (see Section VI for training program details).
  2. The requirement that the WVPPC and COWVPC will meet at least annually during the month of February, or as necessary, to be involved in the evaluation of the physical environment, development of the Workplace Violence Prevention Program and the review of the Workplace Violence incidents reported, if any, and the review of the effectiveness of any mitigating actions taken.

3. All staff that generate or review incidents that may be Workplace Violence related shall receive training to ensure that all incidents of Workplace Violence are forwarded to the DSS for appropriate action.
4. Continued utilization and implementation of all DOCCS directives which encompass the Department's core mission, which shall include: identifying, reporting, investigating, and mitigating, if necessary, any Workplace Violence-related issues. Applicable directives include, but are not limited to:
  - a. Directive #0700, "Office of Special Investigations (OSI)"
  - b. Directive #2003, "Domestic Violence and the Workplace Policy"
  - c. Directive #2602, "Diversity Management Complaints"
  - d. Directive #2605, "Sexual Harassment in the Workplace"
  - e. Directive #4004, "Unusual Incident Report"
  - f. Directive #4006, "Reporting Inmate Attitude and Behavior"
  - g. Directive #4008, "Watch Commander's Log"
  - h. Directive #4018, "Security Classification Guidelines"
  - i. Directive #4026, "Critical Incident Stress Management Plan"
  - j. Directive #4064, "Facility Safety"
  - k. Directive #4065, "Reporting Injuries and Occupational Illnesses"
  - l. Directive #4066, "Facility Safety and Environmental Services Inspections"
  - m. Directive #4091, "Logbooks"
  - n. Directive #4803, "Inmate Program Placement"
  - o. Directive #4910, "Control of & Search for Contraband"
  - p. Directive #4930, "Tool Control"
  - q. Directive #4932, "Chapter V, Standards Behavior & Allowances"
  - r. Directive #4936, "Search of DOCCS Employees"
  - s. Directive #6910, "Criminal Prosecution of Inmates"
  - t. Directive #6920, "Internal Controls"
5. Incidents that may require criminal prosecution shall be referred to the appropriate law enforcement agencies in accordance with Department policy.
6. A Statewide Workplace Violence Prevention Program Committee comprised of key Department staff as designated by the Commissioner and Union Representation shall be established. This committee shall meet at least annually during the month of February, or as necessary, to review Workplace Violence issues of Statewide significance and to conduct a review of the Department's Workplace Violence Prevention Program policy.

### C. Reporting Requirements

1. Each employee who believes that he or she is the victim of Workplace Violence is to submit a written report (i.e., memorandum or [Form #4960D](#), "Workplace Violence Incident Report") to his or her immediate supervisor, or to the Superintendent or Union Representative. It remains the responsibility of all employees to report all threatening behavior, whether from an inmate, the general public, or an employee, to supervisory staff immediately so appropriate action can take place.

**Note:** Instances of inmate misbehavior shall continue to be reported via Form #2171, "Inmate Misbehavior Report," in accordance with Directive #4006, "Reporting Inmate Attitude and Behavior."

- a. The memorandum shall provide all necessary details (e.g., date, time, location, description, injuries, witnesses, names and titles of involved employees, etc.) regarding the incident including the names (or descriptions) of those involved.
  - b. The supervisor must take appropriate action, if necessary, and then forward the memorandum to the DSS Office to ensure it is documented in the Workplace Violence Incident Log.
2. A record of all reported incidents of Workplace Violence will be forwarded to the DSS or to the Liaison for Central Office and Satellite Locations. The DSS and the Central Office Liaison will collect the reports, as described below, to be maintained for internal review, inspection by DOL inspectors, if necessary, and for presentation to the WVPPC during the annual review in February. The annual review shall include a summary of Workplace Violence incidents to identify any potential risk factors or trends, and review of applicable directives and local procedures that enhance the Workplace Violence Program.
    - a. Unusual Incident Reports (UIR): Unusual Incident Reports which depict an incident of Workplace Violence, as defined in this policy, shall be identified upon review of the final report and forwarded to the DSS. In conjunction, an automated report will be generated monthly and forwarded to the DSS at each facility.
    - b. Facility Inmate Disciplinary System: Inmate misbehavior reports that contain incidents of Workplace Violence will be identified. An automated report will be generated monthly and forwarded to the DSS at each facility.
    - c. Population Management Committees: Information reported by this committee is a critical component for Risk Evaluation and Determination. This committee reviews trends and reports from various areas of the facility to mitigate potential problems and to take corrective action when necessary. The DSS is responsible to ensure that appropriate information from this committee is reviewed by the WVPPC. However, it should be noted that the DSS has the discretion to withhold confidential security information or personal information described in Section VII, which, if disclosed, could compromise the secure and orderly operation of the facility.

- d. Departmental Correspondence: In accordance with this directive, any correspondence (including memorandum) received from an employee, supervisor, or Union Representative that involves an incident of Workplace Violence shall be evaluated. If it is determined that a reported incident meets the criteria for an Unusual Incident or Misbehavior Report and neither has been filed, then such reports shall be immediately prepared. Reported incidents that do not meet the criteria of an Unusual Incident or Misbehavior Report shall be forwarded to the DSS for entry into the Workplace Violence Incident Log as referenced in Section III-K.

**Note:** If a reported incident of Workplace Violence has been documented as a UIR or Inmate Misbehavior Report, no additional reporting is required.

- e. The facility Executive Team will ensure that follow up action has been taken, if deemed necessary, which may include referral to areas such as: the Office of Diversity Management, Office of Special Investigations, Bureau of Personnel, or Bureau of Labor Relations, Employee Assistance Program, etc.

3. Unresolved issues raised by the WVPPC shall be forwarded to the SWVPC.

## V. WVPP - COMMUNITY SUPERVISION PROTOCOLS FOR REGIONAL AND FIELD OFFICES

### A. Risk Evaluation and Determination

The Workplace Violence Prevention Risk Evaluation and Determination is intended to evaluate the presence of Workplace Violence risk factors. Identification and evaluation of risk factors in a structured and systematic way will enable Community Supervision to develop measures to reduce Workplace Violence. Involvement of employees and their Union Representatives is a critical component of the Workplace Violence Prevention Program and increases the likelihood that all significant risk factors are identified and that safety measures are feasible and effective.

In accordance with 12 NYCRR, Part 800.6(g)(2), the Department will follow a hierarchy of controls consisting of engineering controls, operational procedures, and the use of personal protective equipment as described in Directive #2121, "Personal Protective Equipment."

1. Risk evaluations for each work location shall be conducted under the supervision of the Bureau Chief as follows:
  - a. An initial risk evaluation shall be conducted utilizing the applicable evaluation tool, [Form #4960B](#), "Community Supervision Risk Evaluation." An initial evaluation will be conducted for a new work location prior to move in.
  - b. Thereafter, an annual risk evaluation of each work location shall be conducted utilizing the applicable evaluation tool.
  - c. Complaint evaluations will be conducted if an employee complains to his or her supervisor about a risk of Workplace Violence, evaluating the specific alleged risks.
  - d. A post evaluation shall be conducted using the "Workplace Violence Prevention Risk Evaluation Results," [Form #4960C](#).



2. Responsibility for conducting Risk Evaluations and Determinations: In each Community Supervision worksite, risk evaluations are to be conducted by worksite teams comprised of a member of management and a member from the PEF, CSEA, and NYSCOPBA Health and Safety Committee, or their respective designees.
3. Each workplace risk evaluation shall be reviewed at the regional level, to identify trends and provide opportunities to minimize risks through a data review.

The data review consists of evaluating injury and workers' compensation, UIRs, and Workplace Violence incident reports. The Bureau of Personnel will provide the SH-900, "Log of Work Related Injuries and Illnesses," for evaluation. This log will be reviewed on an annual basis and will be given to the Health and Safety Committee in the first quarter of each calendar year.
4. A physical inspection of the workplace will be performed utilizing a Risk Evaluation and Determination form for the initial and annual evaluations.
5. The risk evaluation shall include a review of relevant policies as applicable in Section IV-B-4.
6. Conduct periodic surveys to obtain information from staff relative to Workplace Violence.
7. The risk evaluation processes and results shall be discussed by authorized designees from PEF, CSEA, NYSCOPBA, and management.

This will ensure appropriate union and management collaboration in the identification of risks and in evaluating potential interventions.
8. In evaluating and reporting on risk factors, the group shall consider all of the data in the risk evaluation as follows:
  - a. Identify each risk
  - b. Evaluate the risk
  - c. Prioritize the risk
  - d. Suggest an action plan to mitigate/eliminate the risk
  - e. Identify technical assistance needed to address the risk
9. If the group is unable to reach consensus regarding the necessary actions resulting from the risk evaluation, the issue will be referred to the Regional Director and to the SWVPC if still there is no resolution. In cases where there is an allegation of imminent danger, the review will be expedited through the SWVPC.
10. Where corrective action is warranted, the Regional Director shall take the necessary steps following Agency protocols. In work locations not under a Regional Director, the manager in charge of the work location shall take the necessary corrective action. In the event that there is imminent danger, the risk will be immediately evaluated and addressed.
11. Evaluation Reporting: Upon completing the Risk Evaluation and Determination, the committee will prepare a report, identifying potential risks and solutions, and forward it to the Deputy Commissioner for Community Supervision and the appropriate Regional Director.

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## B. Reporting Requirements

1. Identification of Possible Workplace Violence Conditions
  - a. Employee Responsibility
    - (1) Immediately notifies his or her supervisor, or the supervisor on duty, of a condition that may be a possible Workplace Violence threat.
    - (2) Completes a memorandum, consisting of date, time, location, description, injuries, witnesses, etc., or UIR, as necessary, specifying the situation and submits it to the supervisor.
  - b. Immediate Supervisor
    - (1) Evaluates the situation and mitigates it immediately, if appropriate and feasible.
    - (2) Gives the memorandum or UIR, along with an evaluation and other comments, to the Regional Director for review.
  - c. Management/Administrative
    - (1) Evaluates the situation and mitigates the problem, if feasible.
    - (2) A written response will be issued to the complainant.
2. Incidents of Workplace Violence Occurring on Community Supervision Premises
  - a. Employee Responsibility
    - (1) Immediately notifies his or her supervisor, or the supervisor on duty, of the incident.

**Note:** In some instances, the situation may be considered of a sufficiently urgent nature that the employee should immediately contact appropriate law enforcement agency and/or summon emergency medical assistance immediately, if necessary, and then advise the supervisor. If law enforcement is notified, advise responding officers that Parole Officers are armed.
    - (2) Follows up the verbal report by completing a UIR, as necessary, and submitting it to his or her immediate supervisor within 24 hours.
  - b. Immediate Supervisor
    - (1) Evaluates the incident described. If it is expected that the incident can affect an employee's safety, immediate action will be taken to notify the appropriate law enforcement agency and/or summon emergency medical assistance.
    - (2) Immediately notifies the appropriate highest level management/administrative staff person.
    - (3) Upon receipt of the UIR and Accident Reports, or if the employee is unavailable, completes the appropriate section for supervisor on the form and immediately forwards it to the appropriate Regional Director.
  - c. Regional Director
    - (1) Completes the appropriate section of the UIR and submits it to appropriate staff.

- (2) Initiates an investigation into the incident or contacts appropriate Bureaus (Labor Relations, program area) to proceed with the investigation.
3. Record Keeping: The Regional Director's office shall maintain a record of all reports of potential physical plant conditions, their outcomes, and necessary corrective actions. Additionally, a written record of all reports of Workplace Violence, copies of the UIRs, evaluation reports, and incidents from the Workplace Violence log. These records shall be kept for a period of ten years.

**VI. EMPLOYEE INFORMATION AND TRAINING:** All employees should be provided with the following information and training on the risks of Workplace Violence in their workplace or workplaces at the time of their initial assignment and annually thereafter.

A. Employee Workplace Violence Prevention training shall include:

1. An initial training component for all employees that provides a comprehensive overview of the Department's Workplace Violence Prevention Program.
2. An annual refresher component
  - a. A training bulletin for review by each employee that will provide a refresher on the goals and objectives of the Department's Workplace Violence Prevention Program.
  - b. The measures employees can take to protect themselves from Workplace Violence risks as identified by the Risk Evaluation and Determination, except that nothing in this directive shall require the disclosure of the information otherwise kept confidential for security reasons as identified in Section VII below. This shall include specific procedures the employer has implemented to protect employees, such as appropriate work practices or emergency procedures, that are specific to the work area/location.
  - c. Inform employees of the measures that employees can take to protect themselves from the identified risks, including specific procedures that the employer has implemented to protect employees such as incident alert and notification procedures, appropriate work practices, emergency procedures, and use of security alarms and other devices.
  - d. Inform employees of the location of the written Workplace Violence Prevention Program directive and how to obtain a copy, and make it and other directives available for reference to employees, authorized employee representatives, and the supervisor in the work area during the regularly scheduled shift.
3. This directive shall be reviewed with each new employee as part of his or her initial Orientation Package and shall be provided to employees.

B. Related Training

1. All new Corrections employees are provided with the Orientation Handbook, "Correctional Dynamics," which outlines potential risks employees may encounter in the workplace and the means to address them.
2. Training will be provided for Community Supervision work-site teams that will conduct the Workplace Violence risk evaluation.

3. All employees (both security and civilian staff) receive routine training that outlines risks and potentially dangerous situations that can arise in their specific work areas and the methods and techniques for staff to implement to avoid and/or deal with such risks/situations.

**VII. STATEMENT OF CONFIDENTIALITY:** Nothing in this directive shall require the disclosure of personal information otherwise kept confidential for security reasons except as may be necessary to implement the provisions of this directive.

- A. Such personal information may include information which, if disclosed:
  1. Would interfere with law enforcement investigations or judicial proceedings;
  2. Would deprive a person of a right to a fair trial or impartial adjudication;
  3. Would identify a confidential source or disclose confidential information relating to a criminal investigation;
  4. Would reveal criminal investigative techniques or procedures, except routine techniques and procedures; or
  5. Would endanger the life or safety of any person.
- B. If the case is a "privacy concern case" as defined below, the employer shall still be liable for reporting the Workplace Violence incident. However, before sharing a copy of the incident report with any party other than the Commissioner of Labor, the employer shall remove the name of the employee who was the victim of the Workplace Violence and shall instead enter "PRIVACY CONCERN CASE" in the space normally used for the employee's name.
  1. The employer shall treat incidents involving the following injuries or illnesses as privacy concern cases:
    - a. An injury or illness to an intimate body part or the reproductive system;
    - b. An injury or illness resulting from a sexual assault;
    - c. Mental illness;
    - d. HIV infection;
    - e. Needle stick injuries and cuts from sharp objects that are or may be contaminated with another person's blood or other potentially infectious material; or
    - f. Other injuries or illnesses, if the employee independently and voluntarily requests that his or her name not be entered on the report.

### **VIII. DEPARTMENT OF LABOR REFERRAL**

- A. Any employee or Union Representative who believes that a serious violation of the Workplace Violence Prevention Program exists, or that an imminent danger exists, shall bring such matter to the attention of their immediate supervisor in the form of a written notice and shall afford the Superintendent, Regional Director, or Central Office and Satellite Location Liaison a reasonable opportunity to correct such activity, policy, or practice. Written notice to an employer shall not be required where imminent danger or a threat exists to the safety of a specific employee or employees, and the reporting employee reasonably believes in good faith that reporting to a supervisor would not result in corrective action.

- B. If, after following a referral of such matter to the employee's supervisor's attention, and after a reasonable opportunity to correct such activity, policy, or practice, the matter has not been resolved and the employee or Union Representative still believes that a serious violation of the Workplace Violence Prevention Program remains, or that an imminent danger exists, such employee or Union Representative may request an inspection by giving notice to the Commissioner of the Department of Labor, or designee, of such violation or danger.

Such notice and request shall be in writing, shall set forth with reasonable particularity the grounds for the notice, shall be signed by such employee or Union Representative, and a copy shall be provided by the Commissioner of Labor, or designee, to the employer or the person in charge no later than the time of inspection, except that on the request of the person giving such notice, such person's name and the names of individual employees or Union Representative shall be withheld. Such inspection shall be made forthwith.

- C. The Superintendent, Regional Director, or designee, and Union Representative shall be given the opportunity to accompany the Commissioner of Labor, or designee, during an inspection for the purpose of aiding such inspection. Where there is no Union Representative, the Commissioner of Labor, or designee, shall consult with a reasonable number of employees concerning matters of safety in the workplace.
- D. The authority of the Commissioner of Labor, or designee, to inspect premises pursuant to such an employee complaint shall not be limited to the alleged violation contained in such complaint. The Commissioner of Labor, or designee, may inspect any other area of the premises in which he or she has reason to believe that a serious violation of this directive exists.
- E. No employer shall take retaliatory action against any employee or Union Representative because they do any of the following:
1. Make an application pursuant to Section VIII-A above;
  2. Request an inspection as authorized in Section VIII-B above; or
  3. Accompany the Commissioner of Labor, or designee, as authorized in Section VIII-C above.
- F. The Commissioner of Labor, or designee, may, upon his or her own initiative, conduct an inspection of any premises occupied by an employer if he or she has reason to believe that a violation of this section has occurred or if he or she has a general administrative plan for the enforcement of this section, including a general schedule of inspections, which provides a rational administrative basis for such inspections.

\_\_\_\_\_ **CORRECTIONAL FACILITY**

**Workplace Violence Prevention Program Committee Meeting Minutes**

(Reporting period: At least annually, or as deemed necessary by the committee)

Date of Meeting: \_\_\_\_\_

For each set of data if workplace violence incidents are reported, list the incident and date and review to determine if appropriate action was taken at the time. If the committee does not reach a consensus, the incident and related background information should be forwarded to the Statewide Workplace Violence Prevention Program Committee (SWPPC). Please indicate if no workplace violence incidents were reported.

**I. REVIEW OF WORKPLACE VIOLENCE INCIDENT LOG (Dir. #4960, section IV-A-2-e):**

- 1.
- 2.
- 3.
- 4.

**II. REVIEW OF SH-900 AND SH-900.1 LOGS:**

- 1.
- 2.
- 3.
- 4.

**III. FORM #2098, "MONTHLY SAFETY, ENVIRONMENTAL SERVICES AND WORKPLACE VIOLENCE INSPECTION REPORT – (Workplace Violence Factors Column) REVIEW:**

- 1.
- 2.
- 3.
- 4.

**IV. REVIEW OF LOCAL LABOR MANAGEMENT MEETING MINUTES:**

- 1.
- 2.
- 3.
- 4.

**V. REVIEW OF UNUSUAL INCIDENT REPORTS (Force Print 15<sup>th</sup> of each month):**

- 1.
- 2.
- 3.
- 4.

- VI. REVIEW OF INMATE DISCIPLINARY SYSTEM (FIDS Force print 15<sup>th</sup> of each month):**
- 1.
  - 2.
  - 3.
  - 4.
- VII. MISCELLANEOUS (Any other reported information brought by the DSS or committee members, including Union Representatives related to workplace violence, e.g. Memorandums, verbal reports, Population Management information, etc.):**
- VIII. ANNUAL PROGRAM REVIEW/RISK EVALUATION (List risk factors (if any) that are identified as a result of the annual review/risk evaluation. Additionally list any corrective actions taken as a result of data/program review. If consensus cannot be reached, refer to SWVPC and document referral in section IX of this minutes form):**
- IX. STATEWIDE WVPC REFERRAL (Use this section to list workplace violence incidents or related issues for statewide committee referral, briefly list all relevant information and reports as related to the incident and submit to the Assistant Commissioner):**

Community Supervision  
Risk Evaluation

Form 4960B (9/12)

Photocopy locally as needed

<b>Risk Evaluation</b>	
This risk evaluation is designed to be utilized for Community Supervision work locations . Not all questions will pertain but please complete the following questions to the best of your ability.	
<b>1. Demographic Information</b>	
Site Location:  Name of Person(s) Completing Assessment:	
<b>2. Crime Rate</b> in the immediate area: <input type="checkbox"/> High <input type="checkbox"/> Medium <input type="checkbox"/> Low	
<b>3. Building is:</b> <input type="checkbox"/> State Owned <input type="checkbox"/> Leased <input type="checkbox"/> Other (Please Specify):	
<b>4. Building Occupancy: (choose all that apply)</b> <input type="checkbox"/> Single Tenant <input type="checkbox"/> Single Story <input type="checkbox"/> Three Floors <input type="checkbox"/> Multi-Tenants <input type="checkbox"/> Two Floors <input type="checkbox"/> Four or more Floors	
<b>5. Is parking area access restricted?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other (Please Specify):	
<b>6. Are parolees seen at this site?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>7. What are the hours of staff access?</b> <input type="checkbox"/> Day <input type="checkbox"/> 12 Hour Operation <input type="checkbox"/> 24 Hour Operation	
<b>8. Is there a procedure for detecting weapons used at this location?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No If Yes, Please explain procedures used and any devices used:	
<b>9. Number of Employees?</b> (for this location) <input type="checkbox"/> Less than 20 <input type="checkbox"/> 20-75 <input type="checkbox"/> 75-100 <input type="checkbox"/> More than 100 <input type="checkbox"/> Other (Please Specify):	
<b>PHYSICAL EVALUATION OF BUILDINGS AND GROUNDS</b>	
<b>1. Is access to the Community Supervision office restricted?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>2. Does the building have adequate outside lighting to enhance night security?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>3. Do parking areas have adequate outside lighting to enhance night security?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>4. Are accessible windows secured?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>5. Does the building have signs posted on all entries stating no weapons and subject to search?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> No Reception Area	
<b>6. Is there a security alarm system?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>INTERVIEW AREA</b>	
<b>1. Is this area close to reception?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	



Community Supervision  
Risk Evaluation

Form 4960B (9/12)

Photocopy locally as needed

<b>2. Are parolees escorted to the interview areas?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>3. Do walls provide conversation privacy?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>4. Are offices arranged so alternate escape route is unobstructed?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>5. Is the desk clear of objects that could be used as a weapon?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>6. Is the exit unobstructed?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	

<b>DETENTION AREA</b> – If this location does not have a detention area, skip this section.	
<b>1. Is it close to the interview area?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>2. Is area as bare as possible?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>3. Is area clearly visible?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>4. Is the bench secured to the floor?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>5. Are there rings on the bench for hand cuffs and leg restraints?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>6. Is there adequate space for more than one parolee?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>7. Is a parolee ever left unattended?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>Is there an issue with physical evaluation not covered by the questions in this section?</b> <input type="checkbox"/> Yes  <input type="checkbox"/> No	

<b>SECURITY</b>	
<b>1. Does your location have a security service?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No If no, skip to question 6.  1a. If yes, is the security provided by the state or a private vendor? <input type="checkbox"/> State <input type="checkbox"/> Private vendor	
<b>2. What service does the security service provide?</b> <input type="checkbox"/> Fixed Post <input type="checkbox"/> Roving Patrol within building <input type="checkbox"/> Roving Patrol building exterior/parking lots <input type="checkbox"/> All of the Above Other (Please Specify):	
<b>3. Does security wear uniforms?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>4. What hours is security provided?</b> <input type="checkbox"/> Day <input type="checkbox"/> Weekend <input type="checkbox"/> Evening <input type="checkbox"/> Overnight	
<b>5. Is the security desk location highly visible to persons entering the building?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>6. Are visitors required to register at the site entrance and wear identification?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	
<b>7. Is there written procedures for visitors that is clearly posted?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No	

Community Supervision  
**Risk Evaluation**

Form 4960B (9/12)

Photocopy locally as needed

<b>8. Are visitors required to be escorted by staff?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>9. If there is an escort procedure, is it uniformly enforced?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>10. Are visitors announced?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>11. Is visitor identification required to be turned in at end of visit?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>12. Is there a procedure in place to account for visitor/vendor ID's?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>13. Is there a procedure to ensure the building is empty at night?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>14. Are employees required to wear State ID at all times while on grounds?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>15. Is there an accountability system in place for State ID's if lost, stolen or upon termination?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>16. Are there personnel available to escort staff to the parking lot if requested?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>17. Any other issues involving security not covered in this section?</b> <input type="checkbox"/> Yes  <input type="checkbox"/> No
<b>MAILROOM LOCATIONS</b>
<b>1. Does this site have exterior access for mail delivery?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>2. Is the area monitored or restricted?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>3. Are there procedures in effect to address mail tampering/terrorism at this location?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>SURVEILLANCE</b>
<b>1. Does this site use a type of intrusion detection system?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>2. What areas are covered by the intrusion detection system? (Check all that apply)</b> <input type="checkbox"/> Doors <input type="checkbox"/> Windows <input type="checkbox"/> Roof <input type="checkbox"/> Garage/Parking <input type="checkbox"/> Loading Dock
<b>3. Does this site have any type of panic alarm/emergency response system?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>4. Does the building have a functioning public address system?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>5. Is there an issue with surveillance which is not addressed by the questions in this section?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>RECEPTION AREAS/PUBLIC AREA</b>

Community Supervision  
**Risk Evaluation**

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<b>1. Does this location have a formal staffed reception area?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>2. Is there minimal reception room furniture?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>3. Is the furniture bolted?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>4. Are there objects in public areas which could be readily available to be used as a weapon?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>5. If staff temporarily absent is there an alternate staff member posted during that period?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>6. Is the area secured to prevent public access to office areas?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>7. Does reception staff have visual access to visitors arriving?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>8. Does the reception area have an alternate egress?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>9. Does reception staff have a phone or other communication device?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>10. Can the reception area be observed by co-workers?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>11. Is there a procedure in place for reception staff to follow in the event of an incident?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>12. Is reception area under surveillance monitoring?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>13. Are visitor procedures clearly posted in reception area?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>14. Does reception staff maintain sign in/accountability records?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>15. Is there an issue with the reception area which is not covered by the questions in this section?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>FIELD VISITS BY STAFF</b>
<b>1. Do staff members provide their office with a travel itinerary when working in the field?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>2. Is field staff required to contact the office at the end of the day?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>3. Does staff have two-way communication while in the field?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>4. Is staff provided or given access to background information on the location to which they are visiting?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>5. Is staff aware of information on domestic violence issues/history pertaining to the parolees they are visiting?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No

Community Supervision  
**Risk Evaluation**

Form 4960B (9/12)

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<b>6. Does staff carry identification when working in the field?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>7. Is staff able to request a second person to assist during a specific field visit?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>8. Is field staff instructed to report if there are pets (dogs, snakes, etc.) at the field visit location?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>9. Is field staff offered support in the event of an incident in the field?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>10. Is field staff trained to be aware of potential weapons at the site of their field visit?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No
<b>11. Is there an issue with field visits which is not addressed by the questions in this section?</b> <input type="checkbox"/> Yes <input type="checkbox"/> No

# Workplace Violence Prevention Risk Evaluation Results Community Supervision

Form 4960C (9/12)

Photocopy locally as needed

1. Building: \_\_\_\_\_

2. Members of the Committee that completed this evaluation:

(members should initial the report, signifying their approval)

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

3. Date(s) of evaluation: \_\_\_\_\_

4. Report date: \_\_\_\_\_

5. Indicate all data reviewed by the Committee:

a) Relevant policies \_\_\_\_\_

b) Injury /incident data

Unusual Incident Reports \_\_\_\_\_

SH-900 Log \_\_\_\_\_

Other data \_\_\_\_\_

c) Physical plant evaluations \_\_\_\_\_

d) Other (list) \_\_\_\_\_

6. Summarize key findings (use attachment, as necessary):

## **Workplace Violence Prevention Risk Evaluation Results Community Supervision**

Form 4960C (9/12)

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7. List recommendations by following categories (use attachment, as necessary):

(Consider cost and other feasibility, significance of the risk factor that it addresses, etc.  
For items for which there is no consensus, include the dissenting opinion(s))

a) Immediate:

b) Intermediate (can't be done immediately, but can be scheduled):

c) Long Term (requires research, budget appropriations, or approvals):

8. Plan to address the immediate concerns:

NOTE: Keep a copy of all workplace violence risk evaluation and determination reports and related documentation on file locally and send a copy of the summary report to the Regional Director and the Deputy Commissioner for Community Supervision.

**STATE OF NEW YORK – DEPARTMENT OF CORRECTIONS AND COMMUNITY SUPERVISION  
WORKPLACE VIOLENCE INCIDENT REPORT**

Each employee who believes that he or she is the victim of Workplace Violence is to submit a written report to his or her immediate supervisor, or to the Superintendent or Union Representative. It remains the responsibility of all employees to report all threatening behavior, whether from an inmate, the general public, or an employee, to supervisory staff immediately so appropriate action can take place. The supervisor must take appropriate action, if necessary, and then forward the report to the appropriate area to ensure it is documented in the Workplace Violence Incident Logbook.

Name/Author: \_\_\_\_\_ Date: \_\_\_\_\_

A. Workplace Location Where Incident Occurred: \_\_\_\_\_  
\_\_\_\_\_

B. Time of Day/Shift When Incident Occurred: \_\_\_\_\_

C. Detail Description of the Incident (include events leading up to the incident and how the incident ended):

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

D. Name and Job Titles of Involved Employees:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

E. Name of Other Identifier of Other Individual(s) Involved:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

F. Nature and Extent of Injuries Arising from the Incident:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

G. Names of Witnesses:  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



# Corrections and Community Supervision

**ANDREW M. CUOMO**  
Governor

**ANTHONY J. ANNUCCI**  
Acting Commissioner

## MEMORANDUM

**TO:** All Superintendents  
Division Heads  
Regional Directors

**FROM:** Anthony J. Annucci, Acting Commissioner

**SUBJ:** Workplace Violence Prevention Program – Revised Policy Statement

**DATE:** March 2, 2016

### **POST ON EMPLOYEE BULLETIN BOARDS**

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In accordance with New York State Labor Law, Section 27-b and 12NYCRR Part 800.56, the Department has developed and implemented a program to identify and prevent workplace violence. A major part of the Department's core mission is to provide safe and secure correctional facilities, offices and satellite work locations. The Department's prevention program is specifically outlined in Directive #4960, "Workplace Violence Prevention Program." As outlined in Directive #4960, Departmental policies, directives, reporting systems, and employee training provide an established framework that supports a strong and responsive "Workplace Violence Prevention Program." Accordingly, the Department of Corrections and Community Supervision does not tolerate workplace violence.

Workplace Violence is defined as any physical assault or acts of aggressive behavior occurring where a public employee performs any work-related duty in the course of his or her employment including, but not limited to:

- An attempt or threat, whether verbal or physical, to inflict physical injury upon an employee;
- Any intentional display of force which would give an employee reason to fear or expect bodily harm;
- Intentional and wrongful physical contact with a person without his or her consent that entails some injury;
- Stalking an employee with the intent of causing fear of material harm to the physical safety and health of such employee when such stalking has arisen through and in the course of employment.

At least annually, or as deemed necessary, employee representatives will be involved in the evaluation of the physical environment, development of the Workplace Violence Prevention Program and the review of the workplace violence incident reports to identify trends in the types of incidents reported, if any, and the review of the effectiveness of any mitigating actions taken.



It is the responsibility of all employees to report incidents of workplace violence, whether from an inmate, the general public, or another employee, to management as soon as practicable by using established Departmental reporting protocols (e.g. Inmate Misbehavior Report, Employee Accident/Injury Report, etc.) or via form #4960D, or a memorandum to their supervisor, or workplace administrator (Superintendent, Regional Director, Bureau Chief, Division Head). The report must provide all necessary details (date, time, location, description of incident, injuries, witnesses, etc.) regarding the incident, including the names (or descriptions) of those involved.

A copy of this memorandum is to be posted on employee bulletin boards.